

Monte J. White & Associates, PC
Monte J. White
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 11-70435-HDH-13
	§
Shawn Edward Weaver	§
and	§ JUDGE HARLIN D. HALE
Jennifer Lee Weaver	§
	§ HEARING DATE: 6/19/2013
DEBTORS	§ HEARING TIME: 10:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 6/19/2013, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 208, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 04/23/2013, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Shawn Edward Weaver
and
Jennifer Lee Weaver
DEBTOR(s)

§ CASE NO. 11-70435-HDH-13
§
§ HEARING DATE: 6/19/2013
§ HEARING TIME: 10:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 04/23/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 10/26/2011
2. Date of Section 341 Meeting: 11/21/2011
3. First Payment Date: 11/25/2011
4. Date of Confirmation: 12/22/2011
5. Total Plan Term Prior to this Modification: 46
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 19
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 27
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 6/25/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$5,579.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$5,253.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: NONE (paid ahead)
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 8/8/2012

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

 X Plan payments remain at \$309.00 per month until 10/25/2013 and then increase to \$444.00 for remaining 23 months of plan.

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$309.00 will resume on or before 6/25/2013 for 4 months, then \$444.00 for 23 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount remains the same in the amount of \$17,319.00.

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

 X The unsecured creditor pool remains \$0.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

CT	S-US Bank, NA	Homestead-4910 Kitty St., Wichita Falls, TX	\$95,931.00	Surrender in full satisfaction of debt
CT	S-all property tax claims	“	Various	Surrender in full satisfaction of debt

 Check here if no changes are to be made to creditors.

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtors wish to surrender the homestead property at 4910 Kitty St., Wichita Falls, TX in full satisfaction of all debt owed against it.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 04/23/2013, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7
Case 11-70435-hdh13
Northern District of Texas
Wichita Falls
Tue Apr 23 14:33:54 CDT 2013

Advanta Bank Corporation
CO Resurgent Capital Services
PO Box 10368
Greenville, SC 29603-0368

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

Advantaa
PO Box 9217
Old Bethpage, NY 11804-9017

AT & T
Ft Worth Sales Office
6707 Brentwd Stair Rd
Fort Worth, TX 76112-3335

Bassel & Wilcox, P.L.L.C.
P.O. Box 11509
Fort Worth, TX 76110-0509

Chase
P.o. Box 15298
Wilmington, DE 19850-5298

Chase Bank USA, N.A.
PO Box 15145
Wilmington, DE 19850-5145

CitiBusiness
PO Box 6537
The Lakes, NV 88901-6537

City of WF, WFISD, Wichita Co
CO Harold Lerew
P.O. Box 8188
Wichita Falls, Texas 76307-8188

Cogent Health Care of Texas
PO Box 974716
Dallas, TX 75397-4716

(p)FORD MOTOR CREDIT COMPANY
PO BOX 6275
DEARBORN MI 48121-6275

Ford Motor Credit Corporation
Ford Credit
PO Box 6275
Deerborn, MI 48121-6275

H. J. Marks
FreMar Realty
3100 Seymour Hwy Ste 3118
Wichita Falls, TX 76301-1850

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Jennifer Lee Weaver
4910 Kitty St
Wichita Falls, TX 76310-3506

MARCOA
PO Box 509100
San Diego, CA 92150-9100

Main Street Acquisition Corp
Becket and Lee LLP.
Attorneys-Agent for Creditor
POB 3001
MALVERN, PA 19355-0701

Medical Billing Services
PO Box 2285
Wichita Falls, TX 76307-2285

Monte J. White & Associates
1106 Brook Ave
Wichita Falls TX 76301-5009

Shawn Edward Weaver
4910 Kitty Street
Wichita Falls, TX 76310-3506

Simmons 1st National
5th & Main
Pine Bluff, AR 71603

Simmons First National Bank
PO Box 7836
Pine Bluff, AR 71611-7836

Texoma Community Cr Un
Po Box 1320
Wichita Falls, TX 76307-1320

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

U.S. Bank National Association
CO BDFTE, LLP
15000 Surveyor Blvd. Suite 100
Addison, TX 75001-4417

Us Bank Home Mortgage
4801 Frederica St
Owensboro, KY 42301-7441

WICHITA FALLS CITY, ISD & WICHITA CO
CO PERDUE BRANDON FIELDER COLLINS & MOT
PO BOX 8188
WICHITA FALLS TX 76307-8188

(c)XTREME TECHNOLOGIES
3118 5TH ST
WICHITA FALLS TX 76301-1821

Yellow Book Sales & Distribution
CO RMS Bankruptcy Recovery Services
P.O. Box 5126
Timonium, Maryland 21094-5126

Yellowbook
PO Box 3162
Cedar Rapids, IA 52406-3162

Jennifer Lee Weaver
3919 Barnett Road, #921
Wichita Falls, TX 76310-1737

Monte J. White
Monte J. White & Associates, P.C.
1106 Brook Avenue
Hamilton Place
Wichita Falls, TX 76301-5009

Shawn Edward Weaver
4811 Likins Circle, #706
Wichita Falls, TX 76308-4213

UST U.S. Trustee
1100 Commerce Street
Room 976
Dallas, TX 75242-1011

Walter 12,13 Ocheskey
6308 Iola Avenue
Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Ford Motor Credit Company LLC
Drawer 55-953
P.O. Box 55000
Detroit, MI 48255-0953

IRS Special Procedures
1100 Commerce St., Room 951
Mail Stop 5029 DAL
Dallas, TX 75246

U.S. Bank National Association
4801 Frederica Street
Attn: Bankruptcy Dept.
Owensboro, KY 42301

Addresses marked (c) above for the following entity/entities were corrected
as required by the USPS Locatable Address Conversion System (LACS).

Xtreme Technologies
3118 Seymour Hwy
Wichita Falls, TX 76310

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ford Motor Credit Company LLC

(d)Main Street Acquisition Corp
Becket and Lee LLP
Attorneys-Agent for Creditor
POB 3001
Malvern, PA 19355-0701

(u)U.S. Bank National Association

End of Label Matrix
Mailable recipients 35
Bypassed recipients 3
Total 38